IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.979 OF 2006
IN
APPEAL NO.904 OF 2005
IN
SUMMONS FOR JUDGMENT NO.1001 OF 2003
IN
SUMMARY SUIT NO.2099 OF 2003

Tiwary Bechar & Company Ltd. .. Applicant

V/s

Tata Motors Limited .. Respondent

Mr.Narayan Sahu i/b.S.K.Srivastav & Co. for the Applicant.
Mr.Cherag Balsara i/b.M/s.Mulla & Mulla & CBC for the Respondent.

CORAM : DR.S.RADHAKRISHNAN & S.J.VAZIFDAR, JJ.

DATE : 7TH APRIL, 2006.

P.C.:

1. Heard the learned Counsel for the parties. With the consent of both the parties, the following order is passed :-

2. The Applicant is permitted to deposit a sum of Rs.50,00,000/- within a period of one week from today, with the Prothonotary and Senior Master. The learned Counsel for the Respondent seeks leave to withdraw the said amount of Rs.50,00,000/-. The Respondent is

allowed to withdraw the said amount subject to the condition of furnishing a bank guarantee of a Nationalised Bank in favour of the Prothonotary and Senior Master, High Court, Mumbai. The said Bank Guarantee should carry interest at the rate of 8% per annum, subject to further orders that may be passed finally in the above Appeal. Notice of Motion stands disposed of accordingly.

(DR.S.RADHAKRISHNAN,J.)

(S.J.VAZIFDAR,J.)